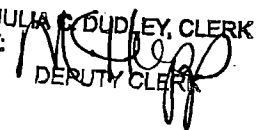


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED

MAR 10 2020

JULIA C. DUDLEY, CLERK
BY: 
DEPUTY CLERK

MICHAEL S. GORBEY,

Plaintiff,

v.

LT. AVERY, et al.,

Defendants.

Civil Action No. 7:17cv00192


MEMORANDUM OPINION

By: Jackson L. Kiser
Senior U. S. District Judge

Plaintiff Michael S. Gorbey, a federal inmate proceeding pro se, filed this action pursuant to Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971). By conditional filing order entered May 2, 2017, the court advised Gorbey that he must notify the court in writing immediately upon his transfer or release and provide the court with an updated address. See ECF No. 3. The court warned Gorbey that failure to provide an updated address would result in dismissal of the action. Id. On January 8, 2019, I dismissed this action without prejudice after Gorbey failed to comply with another court order. See ECF No. 101. Gorbey moved to reconsider the dismissal, and by order entered February 20, 2020, I granted Gorbey's motion for reconsideration and reopened the action. See ECF No. 116. In addition to reopening the case, I directed Gorbey to advise the court as to whether he still wished to proceed with this action. Id. That order has been returned to the court as undeliverable and with no forwarding address. See ECF No. 117. Accordingly, I will dismiss this action without prejudice for failure to comply with

the court's order directing him to advise the court of any address change. Gorbey is advised that he may refile his claims in a separate action, subject to the applicable statute of limitations.

ENTER: This 10th day of March, 2020.


Senior United States District Judge